

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

IN RE: C.G.	:	APPEAL NO. C-160330
	:	TRIAL NO. 14-4378Z
	:	<i>JUDGMENT ENTRY.</i>
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	:	
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We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* R.Rep.Op. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

C.G. appeals the juvenile court’s judgment adjudicating him delinquent for an act of safecracking that would have constituted a fourth-degree felony if committed by an adult, and committing him to a suspended term with the Ohio Department of Youth Services. We affirm.

In his first assignment of error, C.G. contests the sufficiency of the evidence underlying his adjudication. Specifically, he argues that although he stole money from a locked box that was located in his mother’s closet, that locked box does not meet the definition of a “safe” or “strongbox” within the meaning of R.C. 2911.31, the safecracking statute. We disagree.

“Strongbox” is not defined in the statute. When words are not defined in a statute, they are to be given their plain and ordinary meaning absent a contrary

legislative intent. *State v. Conyers*, 87 Ohio St.3d 246, 719 N.E.2d 535 (1999). Courts have used dictionary definitions to determine the plain and ordinary meaning of a statutory term. *See e.g., State v. Glover*, 67 Ohio App.3d 384, 587 N.E.2d 321 (1st Dist.1990). Strongbox is defined as “[a] stoutly made box or safe in which valuables are deposited.” *American Heritage Dictionary* 1718 (4th Ed.2000).

Viewing the evidence in a light most favorable to the state, we find that the locked box meets the definition of a “strongbox” for purposes of R.C. 2911.23. *See State v. Jenks*, 61 Ohio St.3d 259, 574 N.E.2d 491 (1991), paragraph two of the syllabus. First, the locked box was being used by C.G.’s mother to store valuables—her cash and credit cards—and she testified that she bought the locked box specifically to protect her valuables from C.G. Next, the locked box was made out of plastic that was fireproof, and C.G. only gained entrance into the box after using tools he found in the garage to pry it open.

Because there was sufficient evidence underlying C.G.’s adjudication, the first assignment of error is overruled.

In his second assignment of error, C.G. argues that the juvenile court erred by entering an untimely disposition. We overrule this assignment of error because the record demonstrates that an effective disposition was entered within six months of C.G.’s adjudication. *See Juv.R. (29)(F)(2)*. Although C.G. contends that the magistrate could not correct his judgment entry imposing a disposition in a nunc pro tunc entry when the magistrate realized he had incorrectly stylized his entry as an “order” instead of a “decision,” we find that this was an appropriate use of a nunc pro tunc entry—the magistrate was not changing his decision and imposing a different disposition; he simply restyled the entry as a “decision” to reflect what had actually occurred. *See State*

*v. Breedlove*, 46 Ohio App.3d 78, 546 N.E.2d 420 (1st Dist.1988), paragraph three of the syllabus.

Accordingly, the judgment of the trial court is affirmed.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**MOCK, P.J., MILLER and DETERS, JJ.**

To the clerk:

Enter upon the journal of the court on June 2, 2017  
per order of the court \_\_\_\_\_.  
Presiding Judge